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LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/561,617	YOSHIDA, NAOKI	
	Examiner	Art Unit	
	PINKAL CHOKSHI	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 December 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8 and 21-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 21-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 12/8/2008 have been fully considered but they are not persuasive. Applicant asserts that Menez does not disclose that the program content and the trigger content are combined and transmitted to receiver. Examiner respectfully disagrees. Menez discloses (¶0007, ¶0014, ¶0021) that the receiver receives program identifier, associated with the program, where the program identifier is included within the program information received at the receiver. Sakamoto also discloses (¶0001) that the two programs are multiplexed together and transmitted to receiver. With regard to the dependent claims, the respective rejections are maintained as Applicant has only argued that the secondary references do not cure the deficiencies of Menez, nevertheless it is the Examiner's contention that Menez does not contain any deficiencies. See the new rejection below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1-3, 5-7, 21-23, 25-27, 29-31, and 33-35** are rejected under 35 U.S.C. 103(a) as being unpatentable over US PG Pub 2003/0115606 to Menez (hereafter

referenced as Menez) in view of JP Publication 09-162821 to Sakamoto (hereafter referenced as Sakamoto).

Regarding **claim 1,** "a content providing system" reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to "comprising: a receiver" Menez discloses (¶0006) that the broadcaster send program information to digital receiver as represented in Fig. 1 (element 122).

As to "a program content providing unit that provides the receiver with program content over a first broadcast channel" Menez discloses (¶0007 and ¶0012) that the broadcasters transmits programs to the receiver as represented in Fig. 1.

As to "a transaction content providing unit that provides the receiver with transaction content over a second broadcast channel, the transaction content including information incidental to the program content" Menez discloses (¶0007 and ¶0022) that based on the program selected through program identifier, an electronic form (transaction content) received from provider is displayed to viewer on the same channel, where the transaction content is associated with the selectable program displayed on the screen.

As to "a trigger content providing unit that provides trigger content that serves as a trigger for reproducing the transaction content in the receiver" Menez discloses (¶0007 and ¶0012) that the broadcasters send programs with program

identifier, which initiates an icon on the display screen to purchase transaction for a sale of item associated with the program as represented in Fig. 1 (element 125).

As to "a combining unit that combines the program content and the trigger content and transmits the combined content over the first broadcast channel" Menez discloses (¶0007, ¶0014, ¶0021) that the receiver receives program identifier, associated with the program, where the program identifier is included within the program information received at the receiver.

As to "the receiver, when the trigger content is triggered by a user while the receiver is receiving the program content on the first broadcast channel, switching a broadcast channel received over the first broadcast channel to the second broadcast channel and receiving the transaction content provided by the transaction content providing apparatus" Menez discloses (¶0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

As to "when end of viewing of the transaction content is inputted switching a broadcast channel received over the second broadcast channel to the first broadcast channel and again receiving the program content provided by the program content providing apparatuses" Menez discloses (¶0020-¶0025) that viewer receives the transaction screen while watching a program and once

transaction is completed, server completes sale and bill subscribers as represented in Fig. 2. Menez meets all the limitations of the claim except "switching a broadcast channel from the second broadcast channel to the first broadcast channel." However, Sakamoto discloses (¶0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. As to "combines the program content and the trigger content and transmits the combined content to receiver" Sakamoto discloses (¶0001) that the two programs are multiplexed together and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Regarding **claim 2,** "a content providing system wherein the receiver transmits, over a network, information inputted by the user based on the transaction content provided to an information processing apparatus that performs processing corresponding to content triggered by the user" Menez discloses (¶0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 3,** "a content providing system wherein the transaction content providing apparatus provides, as the transaction content, content for causing a user who is viewing the program content to input a response to a questionnaire or content for causing the viewer to input information necessary for purchasing a commodity" Menez discloses (¶0016, ¶0019, ¶0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 5,** "a content providing method" reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to "method comprising: providing a receiver with program content over a first broadcast channel" Menez discloses (¶0006) that the broadcaster send program information to digital receiver as represented in Fig. 1 (element 122). Menez discloses (¶0007 and ¶0012) that the broadcaster transmits programs to the receiver as represented in Fig. 1.

As to "providing the receiver with transaction content over a second broadcast channel, the transaction content including information incidental to the program content" Menez discloses (¶0007 and ¶0022) that based on the program selected through program identifier, an electronic form (transaction content) received from provider is displayed to viewer on the same channel, where the

transaction content is associated with the selectable program displayed on the screen.

As to "providing trigger content that serves as a trigger for reproducing the transaction content in the receiver" Menez discloses (¶0007 and ¶0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen to purchase transaction for a sale of item associated with the program as represented in Fig. 1 (element 125).

As to "combining the program content and the trigger content and transmitting the combined content over the first broadcast channel" Menez discloses (¶0007, ¶0014, ¶0021) that the receiver receives program identifier, associated with the program, where the program identifier is included within the program information received at the receiver.

As to "when the trigger content is triggered by a user while the receiver is receiving the program content over the first broadcast channel, switching a broadcast channel over the first broadcast channel to the second broadcast channel and receiving the transaction content" Menez discloses (¶0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

As to "when end of viewing of the transaction content is inputted in the receiver, switching a broadcast channel received over the second broadcast

channel to the first broadcast channel, and again receiving the program content" Menez discloses (¶0020-¶0025) that viewer receives the transaction screen while watching a program and once transaction is completed, server completes sale and bill subscribers as represented in Fig. 2. Menez meets all the limitations of the claim except "switching a broadcast channel from the second broadcast channel to the first broadcast channel." However, Sakamoto discloses (¶0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. As to "combines the program content and the trigger content and transmits the combined content to receiver" Sakamoto discloses (¶0001) that the two programs are multiplexed together and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Regarding **claim 6,** "a content providing method wherein the receiver transmits, over a network, information inputted by the user based on the transaction content provided to an information processing apparatus that performs processing corresponding to content triggered by the user" Menez discloses (¶0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 7,** "a content providing method wherein the transaction content is content for causing a user who is viewing the program content to input a response to a questionnaire or is content for causing the viewer to input information necessary for purchasing a commodity" Menez discloses (¶0016, ¶0019, ¶0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 21,** "a content receiver" reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to "receiver comprising: receiving means that receives program content provided by a program content providing apparatus over a first broadcast channel" Menez discloses (¶0007 and ¶0012) that the broadcaster transmits programs to the receiver as represented in Fig. 1.

As to "that receives a transaction content provided by a transaction content providing apparatus over a second broadcast channel" Menez discloses (¶0007 and ¶0022) that based on the program selected through program identifier, an electronic form (transaction content) received from provider is displayed to viewer on the same channel, where the transaction content is associated with the selectable program displayed on the screen.

As to "combining means that combines the program content and the trigger content that serves as a trigger for reproducing the transaction content" Menez discloses (¶0007, ¶0014, ¶0021) that the receiver receives program identifier, associated with the program, where the program identifier is included within the program information received at the receiver. Menez further discloses (¶0007 and ¶0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen to purchase transaction for a sale of item associated with the program as represented in Fig. 1 (element 125).

As to "judging means that judges whether the transaction content is triggered based on the trigger content combined with the program content while the program content is received on the first broadcast channel and switching control means that, when the judging means judges that the transaction content is triggered, switches a channel received over the first broadcast channel to the second broadcast channel" Menez discloses (¶0007 and ¶0022) that based on the program selected through program identifier, an electronic form (transaction content) received from provider is displayed to viewer on the same channel, where the transaction content is associated with the selectable program displayed on the screen. Menez further discloses (¶0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

As to "when end of viewing of the transaction content is inputted, switches a channel received over the second broadcast channel to the first broadcast channel" Menez discloses (¶0020-¶0025) that viewer receives the transaction screen while watching a program and once transaction is completed, server completes sale and bill subscribers as represented in Fig. 2. Menez meets all the limitations of the claim except "switching a broadcast channel from the second broadcast channel to the first broadcast channel." However, Sakamoto discloses (¶0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. As to "combines the program content and the trigger content and transmits the combined content to receiver" Sakamoto discloses (¶0001) that the two programs are multiplexed together and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Regarding **claim 22,** "a content receiver further comprising transmitting means that transmits, via a network, information inputted from a viewer based on the transaction content provided to an information processing apparatus" Menez

discloses (¶0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 23,** "a content receiver wherein the receiving means receives, as the transaction content, content for causing a viewer viewing the program content to input a response to a questionnaire or content for causing the viewer to input information necessary for purchasing a commodity" Menez discloses (¶0016, ¶0019, ¶0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 25,** "a content receiving method" reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to "method comprising: a first receiving step of receiving program content provided by a plurality of program content providing apparatuses over a first broadcast channel" Menez discloses (¶0007 and ¶0012) that the broadcaster transmits programs to the receiver as represented in Fig. 1.

As to "combining step that combines the program content and the trigger content that serves as a trigger for reproducing the transaction content" Menez discloses (¶0007, ¶0014, ¶0021) that the receiver receives program identifier, associated with the program, where the program identifier is included within the

program information received at the receiver. Menez further discloses (¶0007 and ¶0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen to purchase transaction for a sale of item associated with the program as represented in Fig. 1 (element 125).

As to "a judging step of judging whether the transaction content is indicated by a user based on trigger content combined with the program content while the program content is received on the first broadcast channel, the transaction content including information incidental to the program content and a first switching control step of switching, when it is judged during the judging step that the transaction content is indicated, a channel received over the first channel to the second channel" Menez discloses (¶0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen. Menez further discloses (¶0007 and ¶0022) that based on the program selected through program identifier, an electronic form (transaction content) received from provider is displayed to viewer on the same channel, where the transaction content is associated with the selectable program displayed on the screen.

As to "a second receiving step of receiving the transaction content provided by a transaction content providing apparatus over a second broadcast channel" Menez discloses (¶0022) that based on the program selected through

program identifier, an electronic form (second content) received from provider is displayed to viewer.

As to "a second switching control step of switching, when end of viewing of the transaction content is inputted, a channel received over the second broadcast channel to the first broadcast channel" Menez discloses (¶0020-¶0025) that viewer receives the transaction screen while watching a program and once transaction is completed, server completes sale and bill subscribers as represented in Fig. 2. Menez meets all the limitations of the claim except "switching a broadcast channel from the second broadcast channel to the first broadcast channel." However, Sakamoto discloses (¶0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. As to "combines the program content and the trigger content and transmits the combined content to receiver" Sakamoto discloses (¶0001) that the two programs are multiplexed together and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Regarding **claim 26,** "a content receiving method further comprising a transmitting step of transmitting, via a network, information inputted from the user

based on the transaction content provided to an information processing apparatus" Menez discloses (¶0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 27,** "a content receiving method wherein in the second receiving step, as the transaction content, content for causing a user viewing the program content to input a response to a questionnaire or content for causing the viewer to input information necessary for purchasing a commodity" Menez discloses (¶0016, ¶0019, ¶0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 29,** "a recording medium having recorded therein a computer readable program for carrying out content receiving method, the method comprising: a first receiving step of receiving program content provided by a plurality of program content providing apparatuses over a first broadcast channel" Menez discloses (¶0007 and ¶0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125).

As to "combining step that combines the program content and the trigger content that serves as a trigger for reproducing the transaction content" Menez discloses (¶0007, ¶0014, ¶0021) that the receiver receives program identifier,

associated with the program, where the program identifier is included within the program information received at the receiver. Menez further discloses (¶0007 and ¶0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen to purchase transaction for a sale of item associated with the program as represented in Fig. 1 (element 125).

As to "a judging step of judging whether the transaction content is indicated by a user based on trigger content combined with the program content while the program content is received on the first broadcast channel, the transaction content including information incidental to the program content and a first switching control step of switching, when it is judged during the judging step that the transaction content is indicated, a channel received over the first channel to the second channel" Menez discloses (¶0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen. Menez further discloses (¶0007 and ¶0022) that based on the program selected through program identifier, an electronic form (transaction content) received from provider is displayed to viewer on the same channel, where the transaction content is associated with the selectable program displayed on the screen.

As to "a second receiving step of receiving the transaction content provided by a transaction content providing apparatus over a second broadcast

channel" Menez discloses (¶0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer.

As to "a second switching control step of switching, when end of viewing of the transaction content is inputted, a channel received over the second broadcast channel to the first broadcast channel" Menez discloses (¶0020-¶0025) that viewer receives the transaction screen while watching a program and once transaction is completed, server completes sale and bill subscribers as represented in Fig. 2. Menez meets all the limitations of the claim except "switching a broadcast channel from the second broadcast channel to the first broadcast channel." However, Sakamoto discloses (¶0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. As to "combines the program content and the trigger content and transmits the combined content to receiver" Sakamoto discloses (¶0001) that the two programs are multiplexed together and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Combination of Menez and Sakamoto meets all the limitations of the claim except "computer readable program is recorded in the storage medium."

However, the examiner takes official notice that it was well known in the art at the time of the invention to store computer program on computer recordable medium. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store computer readable program on recoded medium to Menez and Sakamoto's system would have yielded predictable result of easily installing program on other computer devices.

Regarding **claim 30,** "a recording medium wherein the method further comprises a transmitting step of transmitting, via a network, information inputted from the user based on the transaction content provided to an information processing apparatus" Menez discloses (¶0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 31,** "a recording medium wherein the second receiving step, as the transaction content, content for causing a user viewing the program content to input a response to a questionnaire or content for causing the viewer to input information necessary for purchasing a commodity" Menez discloses (¶0016, ¶0019, ¶0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 33,** "a processor encoded with a computer program for carrying out content receiving method, the method comprising: a first receiving step of receiving program content provided by a plurality of program content providing apparatuses over a first broadcast channel" Menez discloses (¶0007 and ¶0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125).

As to "combining step that combines the program content and the trigger content that serves as a trigger for reproducing the transaction content" Menez discloses (¶0007, ¶0014, ¶0021) that the receiver receives program identifier, associated with the program, where the program identifier is included within the program information received at the receiver. Menez further discloses (¶0007 and ¶0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen to purchase transaction for a sale of item associated with the program as represented in Fig. 1 (element 125).

As to "a judging step of judging whether the transaction content is indicated by a user based on trigger content combined with the program content while the program content is received on the first broadcast channel, the transaction content including information incidental to the program content and a first switching control step of switching, when it is judged during the judging step that the transaction content is indicated, a channel received over the first channel to the second channel" Menez discloses (¶0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display

screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen. Menez further discloses (¶0007 and ¶0022) that based on the program selected through program identifier, an electronic form (transaction content) received from provider is displayed to viewer on the same channel, where the transaction content is associated with the selectable program displayed on the screen.

As to "a second receiving step of receiving the transaction content provided by a transaction content providing apparatus over a second broadcast channel" Menez discloses (¶0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer.

As to "a second switching control step of switching, when end of viewing of the transaction content is inputted, a channel received over the second broadcast channel to the first broadcast channel" Menez discloses (¶0020-¶0025) that viewer receives the transaction screen while watching a program and once transaction is completed, server completes sale and bill subscribers as represented in Fig. 2. Menez meets all the limitations of the claim except "switching a broadcast channel from the second broadcast channel to the first broadcast channel." However, Sakamoto discloses (¶0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. As to

"combines the program content and the trigger content and transmits the combined content to receiver" Sakamoto discloses (¶0001) that the two programs are multiplexed together and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Combination of Menez and Sakamoto meets all the limitations of the claim except "computer readable program is recorded in the storage medium." However, the examiner takes official notice that it was well known in the art at the time of the invention to store computer program on computer recordable medium. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store computer readable program on recoded medium to Menez and Sakamoto's system would have yielded predictable result of easily installing program on other computer devices.

Regarding **claim 34,** "a program wherein the method further comprises a transmitting step of transmitting, via a network, information inputted from the user based on the transaction content provided to an information processing apparatus" Menez discloses (¶0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 35,** "a program wherein the second receiving step includes receiving, as the transaction content, content for causing a user viewing the program content to input a response to a questionnaire or content for causing the viewer to input information necessary for purchasing a commodity" Menez discloses (¶0016, ¶0019, ¶0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

4. **Claims 4, 8, 24, 28, 32, and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Menez in view of Sakamoto as applied to claims above, and further in view of WO Publication 98/28869 to Rao et al (hereafter referenced as Rao).

Regarding **claim 4,** "a content providing system wherein the transaction content providing apparatus provides, over the second broadcast channel, common content that corresponds to respective program content of each one of a plurality of first broadcast channels which are generated based on an identical template" Menez discloses (¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing the transaction contents corresponds to respective program content of each one of a plurality of first broadcast channels." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a

plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 8,** "a content providing method wherein common content corresponding to respective program content of each one of a plurality of the first broadcast channels are provided over the second broadcast channel, the common content being generated based on an identical template" Menez discloses (¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing the transaction contents corresponds to respective program content of each one of a plurality of first broadcast channels." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have

been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 24,** "a content receiver wherein the receiving means selects and receives the transaction content corresponding to a first broadcast channel out of a plurality of such transaction content that are common content, wherein the common content are generated based on an identical template, transmitted over the second broadcast channel, and correspond to the respective program content provided by a plurality of progrma content providing apparatuses over respective first broadcast channels thereof." Menez discloses (¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing the transaction contents corresponds to respective program content of each one of a plurality of first broadcast channels." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have

been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 28,** "a content receiving method wherein the second receiving step includes receiving the transaction content corresponding to a first broadcast channel and selected out of a plurality of such transaction content that are common content, wherein the common content are generated based on an identical template, transmitted over the second broadcast channel, and correspond to the respective program content provided by a plurality of program content providing apparatuses over respective first broadcast channels thereof." Menez discloses (¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing the transaction contents corresponds to respective program content of each one of a plurality of first broadcast channels." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have

been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 32,** "a recording medium wherein the second receiving step includes receiving the transaction content corresponding to a first broadcast channel and selected out of a plurality of such transaction content that are common content, wherein the common content are generated based on an identical template, transmitted over the second broadcast channel, and correspond to the respective program content provided by a plurality of program content providing apparatuses over respective first broadcast channels thereof." Menez discloses (¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing the transaction contents corresponds to respective program content of each one of a plurality of first broadcast channels." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have

been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 36,** "a program wherein the second receiving step includes receiving the transaction content corresponding to a first broadcast channel and selected out of a plurality of such transaction content that are common content, wherein the common content are generated based on an identical template, transmitted over the second broadcast channel, and correspond to the respective program content provided by a plurality of program content providing apparatuses over respective first broadcast channels thereof." Menez discloses (¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing the transaction contents corresponds to respective program content of each one of a plurality of first broadcast channels." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have

been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Pinkal Chokshi/
Examiner, Art Unit 2425

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2425